

Applicant : Morris, et al.
Serial No. : 10/085,117
Filed : February 27, 2002
Page : 2 of 13

Attorney's Docket No.: PP023697.0001/ 20366-005001

AMENDMENTS TO THE CLAIMS:

Please cancel claims 25 and 32-36 without prejudice.

Please amend claims 24 and 27 as follows:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-23 (**Cancelled**)

24. (**Currently amended**) A method of diagnosing colon cancer comprising:
a) determining the level of a nucleotide sequence comprising a sequence at least 98% identical to SEQ ID NO:167, or a full complement thereof, in a patient sample comprising colon tissue; and
b) comparing the level of the nucleotide sequence in (a) to a level of the nucleotide sequence in a second sample, said second sample comprising non-cancerous colon tissue;
wherein a patient sample with a level of expression the nucleotide sequence at least 50% less than the level of expression of the nucleotide sequence in the second sample indicates that the patient has a decrease of at least 50% between the level of the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample indicates that the patient has colon cancer , and wherein the nucleotide sequence at least 98% identical to SEQ ID NO:167 encodes a polypeptide which binds to the promoter of the inosine-5' monophosphate dehydrogenase type II gene.

Claim 25. (**Cancelled**)

26. (**Previously presented**) The method of claim 24 wherein the nucleotide sequence comprises SEQ ID NO:167.

27. **(Currently amended)** A method of diagnosing colon cancer comprising:

(a) determining the level of a nucleotide sequence comprising SEQ ID NO:167, or a full complement thereof, in a patient sample comprising colon tissue ;and

(b) comparing the level of the nucleotide sequence in (a) to a level of the nucleotide sequence in a second sample, said second sample comprising non-cancerous colon tissue;

wherein a patient sample with a level of expression of the nucleotide sequence at least 50% less than the level of expression of the nucleotide sequence in the second sample indicates that the patient has a decrease of at least 50% between the level of the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample indicates that the patient has colon cancer.

Claim 28 **(Cancelled)**

29. **(Previously presented)** The method of claim 24 or claim 27 wherein the decrease between the level of the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample is at least 100%.

Claims 30-31 **(Cancelled)**

Claims 32-36 **(Cancelled)**

37. **(New)** The method of claim 24 wherein the nucleotide sequence at least 98% identical to SEQ ID NO:167 encodes a polypeptide having the same cell proliferation activity as a polypeptide encoded for by SEQ ID NO:167.